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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Brian Blunt, individually, and the
Arizona Conference of Police and
Sheriffs, an Arizona nonprofit
corporation,

Plaintiffs,

v.

The Town of Gilbert, a municipal
corporation; Michael Soelberg in his
official capacity as Chief of Police of the
Gilbert Police Department; Nathan
Williams in his official capacity as the
Human Resources Executive Director of
the Town of Gilbert,

Defendants.

Case No: _____

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1367, 1441, and 1446 and LRCiv 3.6 of the Local
Rules of Civil Procedure of the United States District Court for the District of Arizona,
Defendants file this Notice of Removal for the following reasons:

1. A civil action has commenced against Defendants and is now pending in
the Superior Court of Arizona, Maricopa County, Case No. CV2023-053815 with the
above caption.
2. Pursuant to LRCiv 3.6(b), the following documents are attached as Exhibit
A:
 - Complaint and Petition for Mandamus Relief, Preliminary Injunction, and
Permanent Injunction (“Complaint”) (filed September 29, 2023)

- Certificate of Compulsory Arbitration (filed September 29, 2023)
- Summons (Michael Soelberg) (filed September 29, 2023)
- Summons (Nathan Williams) (filed September 29, 2023)
- Summons (Town of Gilbert) (filed September 29, 2023)
- Affidavit of Service (Michael Selberg) (filed October 8, 2023)
- Affidavit of Service (Nathan Williams) (filed October 8, 2023)
- Affidavit of Service (Town of Gilbert) (filed October 8, 2023)

3. Pursuant to LRCiv. 3.6(b), the undersigned counsel verifies that, to the best of his knowledge and belief, the documents attached as Exhibit A to this Notice of Removal are true and complete copies of all pleadings and other documents filed in the state court proceeding.

4. Service upon the Town of Gilbert, Michael Soelberg, and Nathan Williams was accomplished on October 5, 2023. This Notice of Removal is being filed within thirty (30) days of service of the Summons and Complaint and, therefore, is timely under 28 U.S.C. § 1446(b).

5. This is an action over which this Court has jurisdiction pursuant to 28 U.S.C. § 1331 and which is removable to this Court pursuant to 28 U.S.C. § 1441(a) because the action involves a federal question. Plaintiffs' Complaint asserts federal civil rights causes of action pursuant to 42 U.S.C. § 1983 and a claim under the federal False Claims Act. This Court has supplemental jurisdiction over the state law causes of action pursuant to 28 U.S.C. § 1367(a).

6. Pursuant to 28 U.S.C. § 1446(d) and LRCiv 3.6(a), Defendants are contemporaneously filing a Notice of Filing of Removal with the Clerk of the Superior Court, Maricopa County, a copy of which is attached as Exhibit B. Defendants have also on this date given written notice of this filing to Plaintiffs pursuant to 28 U.S.C. § 1446(d).

7. Undersigned counsel certifies that Defendants have consented to the removal of this action to federal court.

1 For the foregoing reasons, Defendants hereby remove this action from the
2 Maricopa County Superior Court to the United States District Court for the District of
3 Arizona.

4 RESPECTFULLY SUBMITTED this 24th day of October, 2023.

5 **PIERCE COLEMAN PLLC**

6
7 By /s/ Aaron D. Arnson

8 Aaron D. Arnson

9 7730 E. Greenway Road, Suite 105

10 Scottsdale, Arizona 85260

11 *Attorneys for Defendants*

12 **CERTIFICATE OF SERVICE**

13 I hereby certify that on October 24, 2023, I electronically transmitted the attached
14 document to the Clerk's Office using the ECF System for filing and caused a copy to be
15 electronically mailed to the following:

16 Steven J. Serbalik
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21 Attorney for Plaintiffs

22 By: /s/ Judy Wilkening
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